



NATIONAL COUNCIL OF FARMER COOPERATIVES

September 15, 2008

Office of Pesticide Programs (OPP)
Regulatory Public Docket (7502P)
Environmental Protection Agency
1200 Pennsylvania Ave, NW
Washington, DC 20460-0001

Re: Comments of the National Council of Farmer Cooperatives Regarding the National Marine Fisheries Service Draft Biological Opinion for Pesticides Containing Chlorpyrifos, Diazinon, and Malathion [EPA-HQ-OPP-2008-0654]

The National Council of Farmer Cooperatives (NCFC) is pleased to submit comments to the U.S. Environmental Protection Agency (EPA) regarding the National Marine Fisheries Service (NMFS) Draft Biological Opinion for pesticides containing chlorpyrifos, diazinon, and malathion [EPA-HQ-OPP-2008-0654].

Since 1929, NCFC has been the voice of America's farmer cooperatives. Our members are regional and national farmer cooperatives, which are in turn comprised of nearly 3,000 local farmer cooperatives across the country. The majority of America's 2 million farmers and ranchers belong to one or more farmer cooperatives. NCFC members also include 26 state and regional councils of cooperatives.

Farmer cooperatives handle, process and market almost every type of agricultural commodity; furnish farm supplies; and provide credit and related financial services, including export financing. Earnings from these activities are returned to their farmer members on a patronage basis, helping to improve their income from the marketplace.

NCFC opposes the recent draft biological opinion from NMFS on these three insecticides. This draft opinion was issued as a result of a settlement of a lawsuit. Unfortunately, this settlement agreement does little to protect species and only exacerbates the numerous problems associated with a defective consultation process.

This biological opinion (released one day following the settlement agreement) neglects current assessments provided to NMFS that represent the best available scientific data. Contrary to all responsible practices of science and regulation, NMFS used an invalidated, unpublished, non-peer-reviewed population model to generate what it purports to be predicted population effects.

More than 700 scientists in EPA's Office of Pesticide Programs daily evaluate data based on best available science and stringent regulations, subjecting each pesticide active ingredient to more than 120 studies. The dependence of the draft opinion on old data, cancelled uses and outdated application practices make it a highly questionable and irrelevant document for a current evaluation of the insecticides used in or near the habitat occupied by salmon species in the Pacific Northwest.

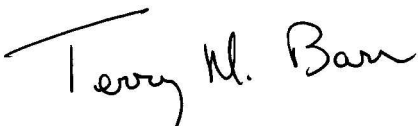
Instead of respecting the enormous scientific input by pesticide registrants and the rigorous review of data by EPA, NMFS set aside EPA's assessment and reached erroneous conclusions using inappropriate data and obsolete pesticide product labels. Regrettably, the draft undermines the credibility of NMFS and perpetrates undue concern among the general public.

EPA's evaluation process has already established lower application rates, fewer use sites, and other restrictions for these products. This process has effectively minimized any potential risk of these well-established crop protection products, which are immensely critical to modern agricultural production and a safe food supply.

In closing, we support the comments submitted by the Pesticide Policy Coalition and echo their concerns with respect to the inability of NMFS and EPA to agree on the most fundamental components of the consultation process. This situation is clearly inconsistent with Congressional intent; if this impasse continues, it will create a disastrous situation and American growers will suffer the consequences.

NCFC appreciates the opportunity to comment on this draft Biological Opinion. If you have any questions or comments regarding this submission, please do not hesitate to contact us.

Sincerely,

A handwritten signature in black ink that reads "Terry M. Barr". The signature is written in a cursive, flowing style with a long horizontal line extending from the top of the first letter.

Terry Barr
Interim President, NCFC